

REMARKS

In the last Office Action, the drawings were objected to as failing to include a prior art legend in Figs. 4A and 4B. Claims 1, 3 and 4 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner questioned how a "cantilever beam shaped" film can be formed by deposition at two ends of the sample. Claims 1, 2, 4 and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by JP '887. The Examiner stated that JP '887 discloses a process in which a beam is alternately scanned across a repair region, which involves shifting the irradiation region from ends of the sample to tip ends of the film being deposited. The Examiner further stated that the film has a cantilever beam shape and that the reference discloses the deposition of an electroless layer on the FIB-formed film that anticipates the limitations of claims 4 and 6. Claim 1 was further rejected under 35 U.S.C. §102 as being anticipated by JP '849 and Matsui et al.

Applicant and applicant's attorney acknowledge with appreciation the indication of allowability with respect to claims 3 and 5. In view of the indication of allowability, applicant has canceled claims 1-6 without prejudice or admission and replaced them with new claims 7-17. Newly added

independent claim 7 is a revised version of claim 1 rewritten to overcome the Examiner's indefiniteness rejections and to incorporate the subject matter of allowable claim 3. Newly added independent claim 13 is a revised and slightly broadened version of claim 2 rewritten in formal respects to improve the wording and incorporate the subject matter of allowable dependent claim 5. Dependent claim 14 recites the step of joining the deposited thin films at a central section of the opening, which was formerly recited in original claim 2.

In view of the Examiner's indication of allowability relative to dependent claims 3 and 5, applicant respectfully submits that newly added independent claims 7 and 13 along with dependent claims 8-12 and 14-17 are in allowable form for the reasons given by the Examiner as to claims 3 and 5. In particular, the cited references fail to disclose or suggest the step of sequentially shifting a focused ion beam at a timing coincident with formation of a sloped surface on a side of a deposited thin film.

Submitted herewith is a replacement sheet in Figs. 4A and 4B which has been revised to include a "Prior Art" legend to overcome the Examiner's objection. Entry of the replacement sheet into the file of the captioned application is most respectfully requested.

In view of the foregoing amendments and discussion,
the application is now believed to be in condition for
allowance. Accordingly, favorable reconsideration and
allowance of the claims are most respectfully requested.

Respectfully submitted,

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

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Name

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Signature

October 15, 2003

Date